

REMARKS

In response to the Office Action mailed September 20, 2007, Applicant respectfully requests reconsideration. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-118 were previously pending in this application. Previously withdrawn claims 1-16, 51-58 and 75-82 are canceled herein. No claims are amended or added. As a result, claims 17-50, 59-74, 83-108 and 114-118 are pending for examination, with claims 17, 34, 59, 83, 100, 107 and 114 being independent. No new matter has been added.

Claim Rejections Under 35 U.S.C. §103

Claims 17-50, 59-74 and 83-118 are rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over U.S. Patent No. 6,128,630 to Dent et al. ("Dent"). Applicant respectfully traverses this rejection, as Dent fails to satisfy all of the limitations recited by each of the independent claims.

I. Brief Overview of Embodiments of the Invention

Some embodiments of the invention provide a system for delivering information relating to financial transactions to investors via the Internet. By way of background, Applicant's specification explains that conventionally, information relating to financial transactions was provided to investors in hard copy form (see, e.g., p. 1, line 13 – p. 2, line 8). The U.S. Securities And Exchange Commission (SEC) has now developed a set of compliance regulations for electronic delivery of financial information to investors, and these regulations require that the investor consent to having the information delivered electronically or maintained where the investor can access it (p. 3, lines 12-16).

Some embodiments of the invention provide a system which enables investors to consent to receive all or a portion of information relating to financial transactions electronically (p. 3, lines 16-17). A user may, for example, consent to electronic delivery of all types of financial information for all accounts, or to electronic delivery of only certain types of financial information for specific accounts, while continuing to receive paper-based notifications for other accounts and/or types of financial information (p. 6, lines 1-4).

The foregoing summary is provided to assist the Examiner in appreciating some aspects of the invention. However, this summary does not necessarily apply to each independent claim, and the language of each independent claim may differ in material respects from the examples described above. Thus, Applicant respectfully requests that the Examiner give careful consideration to the language of each independent claim and to address each on its own merits, without relying on the summary above. In this respect, Applicant does not rely upon the foregoing to distinguish any claim over the prior art, but rather relies only upon the remarks below.

II. Brief Overview of Dent

Dent discloses a consumer bill management and payment system configured to receive, analyze, manage and pay electronic bills received in association with a consumer's accounts over the Internet (Abstract). The system includes a notification manager that detects when an electronic bill has been received and notifies the consumer (Abstract).

The notification manager may notify the consumer in any of several ways when a bill has arrived (col. 6, lines 9-10). For example, the notification manager may cause a pop-up notification box to be displayed when a bill arrives (col. 6, lines 10-11). Another technique involves waking up the user interface when a bill arrives, and yet another technique involves launching the application (col. 6, lines 22-32).

Dent discloses that the notification manager allows the consumer to specify a preference for non-electronic forms of notification (col. 6, lines 40-41). For example, the notification manager

may allow the consumer to specify that he/she would like to be telephoned or sent a fax when a particular bill arrives instead of being notified electronically (col. 6, lines 45-47).

III. Independent Claims 17, 34, 59, 83 and 114

Each of independent claims 17, 34, 59, 83 and 114 includes limitations directed to, *inter alia*, determining a unique identifier for each of a plurality of distinct financial transactions; and determining, as a function of each unique identifier, whether an associated client has consented to receiving respective financial transaction data electronically.

The Office Action contends that these limitations are satisfied by a passage of Dent (i.e., at col. 6, lines 39-53) wherein Dent discloses the functionality summarized above that allows a consumer to elect being notified using non-electronic means when a bill arrives (col. 6, lines 39-53). In the cited passage, Dent discloses that a consumer may specify that they would like to be notified by such non-electronic means as telephone or fax when a bill arrives (col. 6, lines 41-47). If the consumer elects this option, the system notifies the appropriate billing entity that the consumer would like to be notified in the specified non-electronic manner (col. 6, lines 49-51).

Thus, contrary to the Office Action's contention that the cited passage of Dent discloses determining whether a client has consented to receiving financial transaction data electronically, as required by each of independent claims 17, 34, 59, 83 and 114, the cited passage discloses enabling the user to specify that he/she would not like to be notified electronically when a bill arrives.

In addition, Dent fails to disclose or suggest determining, as a function of a unique identifier for each of a plurality of distinct financial transactions, whether a client has consented to receiving financial transaction data electronically, as required by each of independent claims 17, 34, 59, 83 and 114. In this respect, the cited passage of Dent is part of a larger description of the ways in which the notification manager of Dent may inform a consumer when a bill arrives (see, e.g., col. 5, line 64 – col. 6, line 38). Dent discloses that the consumer may be notified via a pop-up dialogue box on the user interface, by waking up the user interface from a dormant power-saving state, or by launching the application (col. 5, line 66 – col. 6, line 34).

Nowhere does Dent disclose or suggest that any of these notification techniques include determining whether a client has consented to receiving financial transaction data electronically. Instead, the entirety of Dent appears to presume that the user has consented to electronic notification, and so no determination regarding the user's consent to electronic delivery of information is performed. Dent thus necessarily fails to disclose or suggest determining, as a function of a unique identifier for each of a plurality of distinct financial transactions, whether an associated client has consented to receiving respective financial transaction data electronically, as required by each of independent claims 17, 34, 59, 83 and 114.

As a result, each of independent claims 17, 34, 59, 83 and 114 patentably distinguishes over Dent, such that the rejection of these claims, and of the claims that depend respectively therefrom, under 35 U.S.C. §103(a) as purportedly being unpatentable over Dent should be withdrawn.

IV. Independent Claims 100 and 107

Independent claims 100 and 107 each include limitations directed to, *inter alia*, obtaining consent from a user to provide financial transaction data electronically to the user.

The Office Action contends that Dent satisfies these limitations, and cites the passage of Dent which is discussed above in relation to independent claims 17, 34, 59, 83 and 114 (i.e., col. 6, lines 39-53). As discussed above, in the cited passage Dent discloses that a consumer may elect to be notified in non-electronic form when a bill arrives, such as by telephone or fax (col. 6, lines 39-53). Thus, not only does the cited passage of Dent not disclose obtaining a user's consent to provide financial transaction data electronically to the user, as required by independent claims 100 and 107, but this passage discloses enabling the user to specify that he/she would not like to be notified electronically when a bill arrives.

Dent simply says nothing at all, in the cited passage of elsewhere, relating to obtaining a user's consent to provide financial transaction data electronically to the user. As discussed above in relation to independent claims 17, 34, 59, 83 and 114, the entirety of Dent appears to presume that

the user has consented to electronic delivery of information, and so Dent says nothing about obtaining that consent.

In view of the foregoing, each of independent claims 100 and 107 patentably distinguishes over Dent, such that the rejection of claims 100 and 107, and of the claims that depend respectively therefrom, under 35 U.S.C. §103(a) as purportedly being unpatentable over Dent should be withdrawn.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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